IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

OP.No. 27606 of 2002(J)

PETITIONER:
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1. JAYA N. PAI @ SUNITHA,
W/O. NARAYANA PAI, PROPRIETRIX
M/S. SUSANDHYA GAS AGENCIES, ELAMANA ROAD,
OFF: NSS KARAYOGAM, TRIPUNITHURA.

2. H.NARAYANA PAI S/O. HARI PAI,
PUNNIKKAPARAMBIL HOUSE, ELAMANA ROAD,
TRIPUNITHURA.

BY ADV. SRI.P.SATHISAN

RESPONDENTS:
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1. THE DISTRICT COLLECTOR, ERNAKULAM.

2. DEPUTY TAHSILDAR (RR), KANAYANNUR TALUK
ERNAKULAM.

3. MANAGER, DHANALAKSHMY BANK LTD.,
TRIPUNITHURA, ERNAKULAM.

BY GSMT.SMITHA, OVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.NO. 27606/2002

ORDER ON CMP NO.47006/2002 IN O.P.NO. 27606/2002

DISMISSED.

11/12/2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF NOTICE NO.83/02 DATED 11/09/2002 ISSUED BY 2ND RESPONDENT.

P2 : COPY OF APPEAL NO.A.T.NO.3/2002 DATED 24/09/2002 FILED BY PETITIONERS.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 27606 of 2002

Dated, this the 11th day of December, 2007

J U D G M E N T

Petitioners are challenging recovery proceedings for recovery of arrears of loan availed from Dhanalakshmi Bank Limited. This Court granted an interim order on 25/09/2002 directing payment of Rs.50,000/- within a period of two weeks from the date of order. It is not known whether petitioners have made payment. In any case, since the matter is pending for the last five years, I feel the Bank should grant OTS benefit to petitioners and grant reasonable time to settle liability. This original petition is, accordingly, disposed of directing petitioners to approach 3rd respondent and settle the liability, failing which recovery can be continued. If petitioners have paid Rs.50,000/- as per the interim order, recovery will remain stayed for a period of one month from the date of receipt of a copy of this judgment for petitioners to settle liability. If liability is not settled within the time frame granted by the Bank, respondents should proceed with recovery for recovering the balance arrears.

This original petition is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg